

1000 INTRODUCTION

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1100 Authority

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j)) to address the development of a National Planning and Response System. As part of this system, Area Committees have been established for each area designated by the President. These Area Committees are comprised of qualified personnel from Federal, State, and local agencies. Each Area Committee, under the direction of the Federal On-Scene Coordinator (FOSC) for the area, is responsible for developing an Area Contingency Plan (ACP) which, when implemented in conjunction with the National Contingency Plan (NCP), shall be adequate to remove a worst case discharge of oil or a hazardous substance, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the geographic area. Each Area Committee is also responsible for working with State and local officials to pre-plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife. The Area Committee is also required to work with State and local officials to expedite decisions for the use of dispersants and other mitigating substances and devices.

The functions of designating areas, appointing Area Committee members, determining the information to be included in Area Contingency Plans, and reviewing and approving Area Contingency Plans have been delegated by Executive Order 12777 of 22 October 1991, to the Commandant of the U.S. Coast Guard (through the Secretary of Transportation) for the coastal zone, and to the Administrator of the Environmental Protection Agency for the inland zone. The term "coastal zone" is defined in the current NCP (40 CFR 300.5) to mean all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, and the waters of the Exclusive Economic Zone (EEZ). The Coast Guard has designated as areas, those portions of the Captain of the Port (COTP) zones which are within the coastal zone, for which Area Committees will prepare Area Contingency Plans. The COTP zones are described in Coast Guard regulations (33 CFR Part 3).

1110 Pollution Investigation Authority

1111 Introduction

Several federal, state, and local agencies have a direct role in the enforcement of applicable laws and regulations associated with a discharge, or substantial threat of a discharge, of oil into the navigable waters of the U.S. The investigation into alleged violations of the many applicable laws and regulations require a coordinated effort among the many agencies involved. As a preliminary step to enhance the effectiveness of investigative activities and limit the potential negative impact of these activities upon the cleanup and removal actions associated with an incident, the following agencies have been identified as having a direct, field-oriented role in the initial stages of these events.

1112 Involved Agencies

The United States Coast Guard. The U.S. Coast Guard has enforcement and investigative authority for a significant array of potential violations of federal laws and regulations, as well as enforcement actions under applicable international treaties. The principle, though not exclusive, federal laws and regulations associated with a discharge or a substantial threat of a discharge of oil include applicable components of the Clean Water Act as amended; the Oil Pollution Act of 1990; the Ports and Waterways Act; The Port and Tanker Safety Act; The Act to Prevent Pollution from Ships (1980), as amended; and, Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78). In addition, authorities pursuant to 46 USC 7701 and 46 USC 6101 relate to personnel actions (licensed mariners), and marine casualties, respectively. The federal regulations associated with potential investigative or enforcement interest under these circumstances include, though are not limited to, applicable sections of 46 CFR with particular attention to Parts 4, 5, 16; 33 CFR Parts 126, 130, 151, 153-160; and 40 CFR Parts 116, and 117. Potential federal enforcement actions associated with a pollution discharge may include but are not limited to: collection of statements and evidence to determine the causes of the associated marine casualty, mandatory chemical testing of involved licensed

personnel, and the collection of oil samples in the water and on suspect vessels.

The State of California, Department of Fish and Game, Office of Oil Spill Prevention and Response (OSPR). The Lempert-Keane-Seastrand Oil Spill Prevention and Response Act of 1990 (SB 2040) details the role of the OSPR in spill investigations. OSPR is the lead investigative unit for state and local governments. As the lead agency, OSPR will coordinate the investigative efforts for these government agencies. Government Code Section 8670.7 specifically requires the Administrator of OSPR to determine the cause and the amount of a discharge. The investigative goals of OSPR are: to take samples and secure evidence relevant to the spill; conduct interviews of any person with special knowledge as to the facts of the spill and make arrests, if necessary and appropriate; determine and document the facts related to the cause of the spill; secure evidence relevant to determining the volume of oil spilled and the amount recovered; determine if a responsible party exists and whether or not the responsible party will take financial responsibility for the cleanup and containment of the spill; and, make an initial determination as to whether or not the facts of the investigation indicate a violation of state or local laws or regulations, and if they do, initiate criminal or civil actions through the appropriate legal jurisdiction(s). State authority extends anywhere within the state and out to three miles from the shoreline. However, "hot pursuit" and other legal principles allow OSPR to operate outside of this narrow area of authority.

State of California, State Lands Commission. The Lempert-Keane-Seastrand Oil Spill and Response Act of 1990 (SB 2040) details the role of the State Lands Commission (SLC) in spill investigations within the jurisdictional boundaries of the State of California. The investigative role of the SLC following a spill will be to assist the OSPR Administrator in determining the cause and amount of the discharge in accordance with California Government Code, Title 2, Chapter 7.4, Article 2, Section 8670.7(e). In addition, the SLC will be assessing the cause of the spill to determine the effectiveness of its regulations and spill prevention programs. The goal will be to change these regulations or programs as necessary to prevent or reduce the risks of similar occurrences in the future. SLC's jurisdiction applies to marine terminals and offshore platforms within three miles of shore. Investigative activities may be necessary onboard a vessel if the circumstances are such that a vessel is involved in a discharge at or involving a marine terminal or offshore platform within 3 miles of shore.

State of California, Office of the State Fire Marshal, Pipeline Safety Division. The goal of this office is to provide pipeline safety within the jurisdictional boundaries of the State of California. California Government Code Sections 40400 - 52999, Chapter 5.5 of the California Pipeline Safety Act of 1981 has given the State Fire Marshal's Office authority to respond to pipeline related offshore oil spills to determine compliance with pipeline safety regulations on construction, maintenance, and operations (normal, abnormal, emergency procedures, and cleanup responses). Sections 51015 and 51018 of the California Government Code specifically address inspections. Sections 51010, 51010.5, and 51010.6 pertain to jurisdictional pipelines, while Sections 51018.6 and 51018.7 provide civil penalties and criminal penalties, respectively by the California State Fire Marshal. For interstate pipeline spills, the California State Fire Marshal's office acts as an agent for the US Department of Transportation, Office of Pipeline Safety (OPS) with enforcement ultimately administered by OPS.

United States Department of the Interior, Minerals Management Service (MMS). The MMS's regulatory authority for accident investigation of offshore oil and gas facilities and related operations is based on the provisions in 30 CFR Part 250.19, Accident Reports (see also the OCS Lands Act Amendments, September 18, 1979, 43 USC 1801, Title II, Sec 208, Sec 22 (d) (1)). The MMS Manual states that the agency's principal objectives in conducting accident investigations are: "...to ensure consistent data collection and investigation of accidents in order to gather the information necessary to determine the cause(s) and to make appropriate recommendations for any corrective action needed. The primary goals are to prevent the recurrence of accidents, to enhance the safety of operations, and to protect the environment." (MMS Manual, Program Series, Part 640, Rules and Operations, Chapter 3, Accident Data Collection and Investigation, August 3, 1992). The MMS manual further states in Chapter 3.3.(A.) that "unless otherwise specifically ordered by the Director, all investigations...shall be fact-finding proceedings with no criminal issues and no adverse parties. The purpose of the investigation is to prepare a public report." An August 29, 1989 Memorandum of Understanding (MOU) between the MMS and USCG provides guidelines for convening accident panels and coordinating accident investigations between the two agencies.

Local Enforcement Authorities. Depending upon in which jurisdiction a discharge occurs, a number of local agencies may have investigative roles. As an example, the Los Angeles-Long Beach port complex maintains local Tariff regulations and enforcement authorities which are enforced by the ports themselves through their respective law enforcement entities; the Los Angeles Port Police and the Long Beach Harbor Patrol. Other local concerns, such as counties and cities through their respective Harbor Departments or Health Agencies, may be directly involved as the circumstances of the situation dictate.

The County District Attorney's Office. Depending upon the location of the incident, the respective District Attorney's Office may have a direct investigative role. For example, in Los Angeles County, the Environmental Crimes Division of the Los Angeles County District Attorney's Office has jurisdiction over felony (or misdemeanor, in some cases) prosecutions under the California Government Code. This task requires the ability to promptly investigate marine petroleum spills, and to do so without interference from counsel or other representatives of the suspect entity or individual(s). The District Attorney's focus is on criminal investigations, which are distinct from civil natural resources damages actions. The latter are typically brought by the California Attorney General. Natural resource damage investigations are not the subject of this Appendix.

The City Attorney's Office. Each city in which an incident occurs, or in which the impact of an incident may be directly felt, may have a direct investigative role. For example, in the City of Los Angeles, the Environmental Protection Unit - Special Operations Division of the Los Angeles City Attorney's Office serves as the legal advisor to all City Departments and Bureaus involved in the investigation of environmental crimes. The City Attorney's Office has the authority to provide legal advice to the aforementioned personnel through the Los Angeles City Charter. The various City Departments and Bureaus also derive their investigative authority from the City Charter and State General Laws which are also known as police powers. Special Operations attorneys provide advice on search and seizure issues which may arise out of the initial criminal investigation of a local marine petroleum oil spill and which may involve any of the city's law enforcement and regulatory personnel.

Other federal, state, or local agencies may have a direct, field-oriented investigative role concerning a discharge or substantial threat of a discharge of oil, as circumstances dictate.

1113 Guiding Principles

The following general statements summarize the primary guiding principles associated with these direct, field-oriented investigations.

Investigative and response actions must interfere with each other as little as possible. Investigative efforts often involve the collection of evidence in a timely manner. This requires investigative efforts and evidence gathering during the high-intensity emergency phase of removal actions. Every effort must be made to coordinate investigative activities to minimize the impact on response and removal efforts. Simply separating investigative and removal functions amongst distinct and different individuals or groups serves to mitigate any potential interference one activity may have on the other. Conversely, individual investigators must understand the concerns of those directing response efforts to minimize the impact of the incident on public health, welfare, and the environment.

Coordination of investigative activities is very important where possible. Any number of mechanisms exist to coordinate efforts on-site during an incident. Periodic coordination meetings greatly enhance command, control, and communications amongst different parties. Lead agencies may carry the dual role of conducting an investigation and coordinating these meetings.

Investigations into, for example, cause, liability, and violations of applicable laws and regulations are a reality. The various federal, state, and local agencies discussed above will be involved in an investigative role as applicable. Investigative roles, efforts, and degree of interest will vary from incident to incident. Investigative interest and activity will be a function of the scope, size, impact, location, and causes of the incident.

Understanding each agency's role increases the efficiency of investigative activities. There is a need for a strong commitment to develop necessary interagency understandings and working agreements which contribute towards this goal. In addition, these efforts would facilitate the smooth acquisition of necessary information and evidence on an ongoing basis. The emphasis on this element is to make these improvements before an incident occurs.

1200 DEFINITIONS & ACRONYMS

1210 Definitions

Agency Representative - Individual assigned to an incident from an assisting or cooperating agency who has been delegated full authority to make decisions on all matters affecting their agency's participation at the incident. Agency Representatives report to the Liaison Officer.

Air Operations Branch Director - The person primarily responsible for preparing and implementing the air operations portion of the Incident Action Plan. Also responsible for providing logistical support to helicopters operating on the incident.

Allocated Resources - Resources dispatched to an incident.

Alternative Response Technologies (ART) - Response methods or techniques other than mechanical containment or recovery. ART may include use of chemical dispersants, in-situ burning, bioremediation, or other alternatives. Application of ART must be authorized and directed by the OSC.

Assigned Resources - Resources checked-in and assigned work tasks on an incident.

Assignments - Tasks given to resources to perform within a given operational period, based upon tactical objectives in the Incident Action Plan.

Assistant - Title for subordinates of the Command Staff positions. The title indicates a level of technical capability, qualifications, and responsibility subordinate to the primary positions. Assistants may also be used to supervise unit activities at camps.

Assisting Agency - An agency directly contributing tactical or service resources to another agency.

Available Resources - Incident-based resources which are immediately available for assignment.

Base - That location at which the primary logistics functions are coordinated and administered. (Incident name or other designator will be added to the term "Base") The Incident Command Post may be collocated with the base. There is only one base per incident.

Biological Additives - micro-biological cultures, enzymes, or nutrient additives that are deliberately introduced into an oil discharge for the specific purpose of encouraging bio-degradation to mitigate the effects of a discharge.

Branch - That organizational level having functional/geographic responsibility for major incident operations. The Branch level is organizationally between Section and Division/Group in the Operations Section, and between Section and Units in the Logistics Section.

Burning Agents - those additives that through physical or chemical means, improve the combustibility of the materials to which they are applied.

Cache - A pre-determined complement of tools, equipment and/or supplies stored in a designated location, and available for incident use.

Camp - A geographical site, within the general incident area, separate from the base, equipped and staffed to provide sleeping areas, food, water, and sanitary services to incident personnel.

CERCLA - the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended by LA-LB 2000

the Superfund Amendments and Reauthorization Act of 1986.

Check-In - The process whereby resources first report to an incident. Check-in locations include: Incident Command Post (Resources Unit), Incident Base, Camps, Staging Areas, Helibases, Helispots, and Division Supervisors (for direct line assignments).

Chemical Agents - those elements, compounds, or mixtures that coagulate, disperse, dissolve, emulsify, foam, neutralize, precipitate, reduce, solubize, oxidize, concentrate, congeal, entrap, fix, make the pollutant mass more rigid or viscous, or otherwise facilitate the mitigation of deleterious effects or the removal of the pollutant from the water.

Chief - The ICS title for individuals responsible for command of functional sections: Operations, Planning, Logistics and Finance.

Claim - a request, made in writing for a sum certain, for compensation for damages or removal costs resulting from an incident.

Clear Text - The use of plain English in radio communications transmissions. No Ten Codes, or agency specific codes are used when using Clear Text.

Coastal Waters - the waters of the coastal zone except for the Great Lakes and specified ports and harbors on inland rivers. Used for classifying the size of discharges.

Coastal Zone - means all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, waters of the contiguous zone, other waters of the high seas subject to the NCP, and the land surface or land substrata, ground waters, and ambient air proximal to those waters. The term coastal zone delineates an area of federal responsibility for response action. Precise boundaries are determined by EPA/Coast Guard agreements and identified in federal regional contingency plans.

Command - The act of directing, ordering and/or controlling resources by virtue of explicit legal, agency, or delegated authority. May also refer to the Incident Commander/Unified Command.

Command Post - See Incident Command Post.

Command Staff - The Command Staff consists of the Information Officer, Safety Officer, and Liaison Officer, who report directly to the Incident Commander. They may have an assistant or assistants, as needed.

Communications Unit - A vehicle (trailer or mobile van) used to provide the major part of an incident Communication Center.

Contiguous Zone - The zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone. It is the zone contiguous to the territorial sea which extends nine miles seaward from the territorial sea.

Cooperating Agency - An agency supplying assistance other than direct tactical or support functions or resources to the incident control effort (e.g., Red Cross, telephone company, etc.).

Cost Unit - Functional unit within the Finance Section responsible for tracking costs, analyzing cost data, making cost estimates, and recommending cost-saving measures.

Demobilization Unit - Functional unit within the Planning Section responsible for assuring orderly, safe and efficient demobilization of incident resources.

Deputy - A fully qualified individual who, in the absence of a superior, could be delegated the authority to manage a functional operation or perform a specific task. In some cases, a Deputy could act as relief for a superior and therefore must be fully qualified in the position. Deputies can be assigned to the Incident Commander, General Staff, and Branch Directors.

Director - The ICS title for individuals responsible for supervision of a Branch.

Discharge - any emission (other than natural seepage), intentional or unintentional, and includes, but is not limited to spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

Dispatch - The implementation of a command decision to move resources from one place to another.

Dispersants - chemical agents that emulsify, disperse, or solubize oil into the water column or promote the surface spreading of oil slicks to facilitate dispersal of the oil into the water column.

Dispatch Center - A facility from which resources are directly assigned to an incident.

Division - That organization level having responsibility for operation within a defined geographic area or with functional responsibility. The Division level is organizationally between the Task Force/Team and the Branch. (See also "Group")

Documentation Unit - Functional unit within the Planning Section responsible for collecting, recording and safeguarding all documents relevant to the incident.

Emergency Medical Technician (EMT) - A health-care specialist with particular skills and knowledge in pre-hospital emergency medicine.

Emergency Operations Center (EOC) - A pre-designated facility established by an agency or jurisdiction to coordinate the overall agency or jurisdictional response and support to an emergency.

Environment- the navigable waters, waters of the contiguous zone, and the ocean waters which the natural resources are under the exclusive management of the U.S. under the Magnuson Fishery Conservation and Management Act. Also includes surface water, ground water, drinking water supply, land surface and subsurface strata, or ambient air.

Exclusive Economic Zone - An area of the high seas, parallel to the territorial sea, which extends up to 200 nautical miles from the baseline from which the territorial seas are measured established by Presidential Proclamation Numbered 5030, dated March 10, 1983. In this zone, a country may exercise jurisdiction and control over natural resources (living and nonliving), including authority over artificial islands (and other structures used for economic exploitation) and for the protection and preservation of the marine environment.

Facilities Unit - Functional unit within the Support Branch of the Logistics Section that provides fixed facilities for the incident. These facilities may include the Incident Base, feeding areas, sleeping areas, sanitary facilities, etc.

Field Operations Guide (FOG) - A pocket-size manual of instructions on the application of the Incident Command System.

Finance Section - The Section responsible for all incident costs and financial considerations. Includes the Time Unit, Procurement Unit, Compensation/Claims Unit and Cost Unit.

Food Unit - Functional unit within the Service Branch of the Logistics Section responsible for providing meals for

incident personnel.

Function - In ICS, function refers to the five major activities in the ICS, i.e., Command, Operations, Planning, Logistics and Finance. The term function is also used when describing the activity involved, e.g., "the planning function."

Fund - the Oil Spill Liability Trust Fund.

General Staff - The group of incident management personnel comprised of: Incident Commander, Operations Section Chief, Planning Section Chief, Logistics Section Chief, Finance Section Chief.

Geographic Information System (GIS) - An electronic information system which provides a geo-referenced data base to support management decision making.

Ground Support Unit - Functional unit within the Support Branch of the Logistics Section responsible for fueling, maintaining and repairing vehicles, and the ground transportation of personnel and supplies.

Group - Groups are established to divide the incident into functional areas of operation. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. (See Division.) Groups are located between Branches (when activated) and Resources in the Operations Section.

Hazardous Material - any hazardous substance, pollutant or contaminant including natural gas, natural gas liquids, liquefied natural gas, or synthetic natural gas usable for fuel (or mixtures of natural gas and such synthetic gas), and any substance designated under the authority of any of the following laws and regulations and the subsequent implementing regulations:

- (1) Section 311(b)(2) of the Clean Water Act: 40 CFR 116.4, Tables 116.4A and 116.4B, Lists of Hazardous Substances; and 40 CFR 117.3, Reportable Quantities of Hazardous Substances Designated Pursuant to Section 311 of the Clean Water Act.
- (2) Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA): 40 CFR 302.4, Table 302.4, List of Hazardous Substances and Reportable Quantities.
- (3) Section 3001 of the Solid Waste Disposal Act: 40 CFR 261.3, Definition of Hazardous Waste; 40 CFR 261.32, Hazardous Wastes from Specific Sources; and 40 CFR 261.33, Discarded Commercial Chemical Products, Off-Specification Species, Container Residues, and Spill Residues Thereof.
- (4) Section 307(a) of the Clean Water Act: 40 CFR 129.4, Toxic Pollutants.
- (5) Section 112 of the Clean Air Act: 40 CFR 61.01, Lists of Pollutants and Applicability of Part 61.
- (6) Section 7 of the Toxic Substance Control Act: 40 CFR 716.120, Substances and Listed Mixtures to Which This Part Applies.
- (7) Section 302 of the Emergency Planning and Community Right-to-Know Act: 40 CFR 355, Appendices A and B, Extremely Hazardous Substances.
- (8) Transportation regulations in 49 CFR 171.8, Hazardous Materials Regulations: 49 CFR 172.101, Hazardous Materials Table; Appendix A, Table 1, Hazardous Substances Other Than Radionuclides; Appendix A, Table 2, Radionuclides; and Appendix B, List of Marine Pollutants.
- (9) Marine transportation regulations in 33 CFR 126 and 160: 126.07, Dangerous cargo; 160.203,

Certain dangerous cargo; 126.09, Designated dangerous cargo; and 126.10, Cargo of particular hazard.

(10) Section 6.95 of the California Health and Safety Code, Hazardous Materials Release Response Plans and Inventory.

(11) Section 6.6 of the California Health and Safety Code, Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly referred to as Proposition 65).

Hazardous Substance - in accordance with the NCP, any substance designated under the authority of the following sections:

- (1) Section 311 (b)(2) of the CWA.
- (2) Section 102 of CERCLA.
- (3) Section 3001 of the Solid Waste Disposal Act.
- (4) Section 307(a) of the CWA.
- (5) Section 112 of the Clean Air Act.
- (6) Section 7 of the Toxic Substance Control Act.

The term does not include petroleum, including crude oil or any fraction thereof which is not specifically listed or designated as a hazardous substance in the first sentence of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic natural gas usable for fuel (or mixtures of natural gas and such synthetic gas).

Health and Safety Plan (HASP) - Site specific document required by State and Federal OSHA regulations and specified in the Area Contingency Plan. The HASP shall at minimum address, include, or contain the following elements: health and safety hazard analysis for each site task or operation, comprehensive operations work plan, personnel training requirements, PPE selection criteria, site specific occupational medical monitoring requirements, air monitoring plan, site control measures, confined space entry procedures "only if needed", pre-entry briefings (tailgate meetings): initial and as needed, pre-operations commencement health and safety conference for all incident participants and quality assurance of HASP effectiveness.

Helibase - A location within the general incident area for parking, fueling, maintenance, and loading of helicopters.

Helispot - A location where a helicopter can take off and land. Some helispots may be used for temporary loading.

Incident Action Plan (IAP) - The Incident Action Plan, which is initially prepared at the first meeting, contains general control objectives reflecting the overall incident strategy, and specific action plans for the next operational period. When complete, the Incident Action Plans will have a number of attachments.

Incident Area - Legal geographical area of the incident to include affected area and traffic route to corresponding storage and disposal sites.

Incident Base - See BASE.

Incident Commander (IC) - The individual responsible for the management of all incident operations.

Incident Command Post (ICP) - That location at which the primary command functions are executed and usually collocated with incident base.

Incident Command System (ICS) - A standardized on-scene emergency management concept specifically designed

to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries.

Incident Communications System - The location of the Communications Unit and the Message Center.

Incident Situation Display - The Situation Unit is responsible for maintaining a display of status boards which communicate critical incident information vital to establishing an effective command and control environment.

Incident Objectives - Statements of guidance and direction necessary for the selection of appropriate strategy(s), and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Incident objectives must be achievable and measurable, yet flexible enough to allow for strategic and tactical alternatives.

Information Officer (IO) - A member of the Command Staff responsible for interfacing with the public and media or with other agencies requiring information on the incident. There is only one Information Officer per incident. The Information Officer may have assistants.

Initial Action - The actions taken by resources which are the first to arrive at an incident.

Initial Response - Resources initially committed to an incident.

Inland Waters - waters of the United States in the inland zone, waters of the Great Lakes, and specified ports and harbors on the inland rivers. Used for classifying the sizes of discharges.

Inland Zone - The environment inland of the Coastal Zone excluding the Great Lakes and specified ports and harbors on inland rivers. The term inland delineates the area of Federal responsibility for response action.

Joint Information Center (JIC) - A facility established within or near Incident Command Post where the Information Officer and staff can coordinate and provide information on the incident to the public, media and other agencies. The JIC is normally staffed with representation from the OSC, State IC and RP.

Jurisdiction - The range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority for incident mitigation. Jurisdictional authority at an incident can be political/geographical (e.g., city, county, state or federal boundary lines), or functional (e.g., police department, health department, etc.). (See Multi-Jurisdiction).

Jurisdictional Agency - The agency having jurisdiction and responsibility for a specific geographical area, or a mandated function.

Landing Zone - See Helispot.

Lead Agency - the Federal agency (or State agency operating pursuant to a contract/agreement or state access) that has primary responsibility for coordinating response action. The Federal lead agency that provides the OSC as specified in section 202.1 and Annex II of the Region IX Mainland Regional Contingency Plan.

Leader - The ICS title for an individual responsible for a Task Force/Strike Team, or functional Unit.

Liaison Officer (LO) - A member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies.

Logistics Section - The Section responsible for providing facilities, services and materials for the incident.

Major Disaster - any event in any part of the U.S. which, as determined by the President, is or threatens to become of sufficient severity or magnitude to warrant disaster assistance by the federal Government to supplement the efforts and resources of State and local governments and relief organizations in alleviating the damage, loss, hardship, or suffering caused by the event.

Managers - Individuals within ICS organizational units that are assigned specific managerial responsibilities (e.g., Staging Area Manager or Camp Manager).

Medical Unit - Functional unit within the Service Branch of the Logistics Section responsible for the development of the Medical Emergency Plan, and for providing emergency medical treatment for personnel.

Message Center - The message center is part of the Communications Center and collocated with. It receives, records, and routes information about resources reporting to the incident, resource status, and administration and tactical traffic.

Multi-Agency Coordination Unit (MAC) - Cohesive group of all affected agencies established to aid in the overall response, facilitate briefings and share issues during a response.

Multi-Agency Coordination System (MACS) - The combination of facilities, equipment, personnel, procedures, and communications integrated into a common system with responsibility for coordination of assisting agency resources and support to agency emergency operations.

Multi-Agency Coordination Group Coordinator - Serves as facilitator to organize and accomplish goals of the MAC Group.

Multi-Agency Incident - An incident where one or more agencies assist a jurisdictional agency or agencies. May be single or unified command.

Multi-Jurisdiction Incident - An incident requiring action from multiple agencies that have a statutory responsibility for incident mitigation. In ICS, these incidents will be managed under Unified Command.

Natural Resources - includes land, fish, biota, wildlife, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the exclusive economic zone), any state or local government or Indian tribe, or any foreign government.

Natural Resource Damage Assessment (NRDA) - The process of identifying and quantifying the resource impacts and evaluating the value of impacted resources for the purpose of restoration.

NOAA Weather Station - A mobile weather data collection and forecasting facility (including personnel) provided by the National Oceanic and Atmospheric Administration which can be utilized within the incident area.

Officer - The ICS title for the personnel responsible for the Command Staff positions of Safety, Liaison, and Information.

Oil - oil of any kind or in any form. Including but, not limited to: petroleum, fuel oil, sludge, oil refuse, and mixed with wastes (other than dredged spoils).

On Scene Coordinator (OSC) - The Federal official (Environmental Protection Agency, U.S. Coast Guard, or Department of Defense) pre-designated to coordinate and direct pollution removal efforts as defined by current regulations. The pre-designated federal On-Scene Coordinator operating under the authority of the National Contingency Plan (Title 40, Code of Federal Regulations, Part 300).

Operational Period - The period of time scheduled for execution of a given set of operation actions as specified in the Incident Action Plan. Operational Periods can be various lengths, usually not over 24 hours.

Operations Section - Responsible for all operations directly applicable to the primary mission. Directs the preparation of unit operational plans, requests or releases resources, makes expedient changes to the Incident Action Plan as necessary and reports such to the Incident Commander. Includes the Recovery and Protection Branch, Emergency Response Branch, Air Operations Branch, and Wildlife Branch.

Out-Of Service Resources - Resources assigned to an incident but unable to respond for mechanical, rest, or personnel reasons.

Planning Meeting - A meeting, held as needed throughout the duration of an incident, to select specific strategies and tactics for incident control operations and for service and support planning.

Planning Section - Responsible for the collection, evaluation, and dissemination of tactical information related to the incident, and for the preparation and documentation of Action Plans. The section also maintains information on the current and forecasted situation, and on the status of resources assigned to the incident. Includes the Situation, Resource, Documentation, and Demobilization Units, as well as Technical Specialists.

Pollutant or Contaminant - in accordance with the NCP, and as defined by section 101(33) of CERCLA, shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under section 101(14)(A) through (F) of CERCLA, nor does it include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas). For purposes of the NCP and this ACP, the term pollutant or contaminant means any pollutant or contaminant that may present an imminent and substantial danger to public health or welfare of the United States.

POLREP - Pollution report.

Potential Discharge - Any accident or other circumstance which threatens to result in the discharge of oil or hazardous substance. It shall be classed by its severity based on the above guidelines.

Primary Agencies - the Departments or Agencies designated to have primary responsibility and resources to promote effective operation of this plan.

Procurement Unit - Functional unit within the Finance Section responsible for financial matters involving vendor contracts.

Public Health or Welfare - All of the factors effecting the health and welfare of man including, but not limited to, human health, the natural environment, fish, shellfish, wildlife, public and private property, shorelines and beaches.

Qualified Individual (Q.I.) - The person authorized by the responsible party to act on their behalf, authorize expenditures, and obligate organizations resources.

Radio Cache - A cache may consist of a number of portable radios, a base station and in some cases a repeater stored in a predetermined location for dispatch to incidents.

Recorders - Individuals within ICS organizational units who are responsible for recording information. Recorders may be found in Planning, Logistics, and Finance Units.

Regional Response Team (RRT) - The Federal response organization, consisting of representatives from selected Federal and State agencies, which acts as a regional body responsible for planning and preparedness before an oil spill occurs and for providing advice to the OSC in the event of a major or substantial spill.

Release - As defined by section 101(22) of CERCLA, any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment but excludes any release solely within the workplace; also excludes additional conditions as specified in the National Contingency Plan 40 CFR 300.6.

Remove or Removal - Removal of oil or hazardous substance(s) from the water and/or shorelines or any other actions that may be necessary to minimize or mitigate damage to the public health or welfare.

Removal Cost - The costs of removal that are incurred after a discharge of oil has occurred or, in any case in which there is substantial threat of a discharge of oil, the costs to prevent, minimize, or mitigate oil pollution from such an incident.

Reporting Location - Any one of six facilities/locations where incident assigned resources may check-in. The locations are: Incident Command Post-Resources Unit, Base, Camp, Staging Area, Helibase or Division Supervisor for direct line assignments. (Check-in at one location only)

Resources - All personnel and major items of equipment available, or potentially available, for assignment to incident tasks on which status is maintained.

Resources Unit - Functional unit within the Planning Section responsible for recording the status of resources committed to the incident. The Unit also evaluates resources currently committed to the incident, the impact that additional responding resources will have on the incident, and anticipated resource needs.

R.P. - Responsible Party

Safety Officer (SO) - A member of the Command Staff responsible for monitoring and assessing safety hazards or unsafe situations, and for developing measures for ensuring personnel safety. The Safety Officer may have assistants.

Section - That organization level having functional responsibility for primary segments of incident operation such as: Operations, Planning, Logistics, Finance. The Section level is organizationally between Branch and Incident Commander.

Service Branch - A Branch within the Logistics Section responsible for service activities at the incident. Includes the Communications, Medical and Food Units.

Single Resource - An individual, a piece of equipment and its personnel complement, or a crew or team of individuals with an identified work supervisor that can be used on an incident.

Site Safety Plan - Legal document required by OSHA before entry into site, prepared by Safety Officer.

Situation Unit - Functional unit within the Planning Section responsible for the collection, organization and analysis of incident status information, and for analysis of the situation as it progresses. Reports to the Planning Section Chief.

Size Classification of Discharges -

(1) Minor Discharge - Inland Waters: less than 1000 gallons of oil. Coastal Waters: less than 10000 gallons of oil.

(2) Medium Discharge - Any discharge of a harmful quantity of a hazardous substance. Inland Waters: 1000 - 10000 gallons of oil. Coastal Waters: 10000 - 100,000 gallons of oil.

(3) Major Discharge - Any discharge of a hazardous substance that poses a threat to the public health or welfare. Inland waters: more than 10,000 gallons of oil. Coastal waters: more than 100,000 gallons of oil.

Size Classification of Releases -

(1) Minor release - quantity of hazardous substance(s), pollutant(s), or contaminant(s), that poses minimal threat to public health or welfare, or the environment.

(2) Medium release - releases not meeting the definition of minor or major.

(3) Major release - quantity of hazardous substance(s), pollutant(s), or contaminant(s) that poses a substantial threat.

Span of Control - The supervisory ratio of from three-to-seven individuals, with five-to-one being established as optimum.

Spill of National Significance (SONS) - a rare, catastrophic spill which greatly exceeds the response capabilities at the local and regional levels. Due to its severity, size, location and actual or potential for adverse impact on the public health and welfare and on the environment, a SONS is so complex that it requires extraordinary coordination of federal, state, local and private resources to contain and cleanup.

Staging Area - That location where incident personnel and equipment are assigned awaiting tactical assignment.

State I.C. - State Incident Commander.

Strategy - The general plan or direction selected to accomplish incident objectives.

Supervisor - The ICS title for individuals responsible for command of a Division or Group.

Supply Unit - Functional unit within the Support Branch of the Logistics Section responsible for ordering equipment and supplies required for incident operations.

Support Branch - A Branch within the Logistics Section responsible for providing personnel, equipment and supplies to support incident operations. Includes the Supply, Facilities and Transportation Units.

Supporting Documents - Refers to the several attachments that may be included with an Incident Action Plan, e.g., communication plan, map, safety plan, traffic plan, and medical plan.

Tactical Direction - Direction given by the Operations Section Chief which includes the tactics appropriate for the selected strategy, the selection and assignment of resources, tactics implementation, and performance monitoring for each operational period.

Task Force - A group of resources with common communications and a leader assembled for a specific mission.

Technical Specialist - Personnel with special skills that can be used anywhere within the ICS organization.

Team - Specified combinations of the same kind and type of resources, with common communications and a leader.

Temporary Flight Restrictions (TFR)- Temporary airspace restrictions for non-emergency aircraft in the incident area. TFR's are established by the FAA to ensure aircraft safety and are normally limited to a five-nautical-mile radius and 2000 feet in altitude.

Territorial Seas - the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of 3 miles.

Time Unit - Functional unit within the Finance Section responsible for recording time for incident personnel and hired equipment.

Trustee - an official of a federal natural resources management agency designated in Subpart G of the NCP or a designated state official or Indian tribe who may pursue claims for damages.

Unified Command (UC) - In ICS, Unified Command is a unified team effort which allows all agencies with responsibility for the incident, either geographical or functional, to manage an incident by establishing a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, responsibility or accountability.

Unit - That organizational element having functional responsibility for a specific incident planning, logistic, or finance activity.

United States - the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands and the Trust Territory of the Pacific Islands.

Vessel Support Unit - Function Unit within the Support Branch of the Logistics Section responsible for implementing the Vessel Routing Plan and coordinating transportation on the water and between shore resources.

Volunteer - any individual accepted to perform services by the lead agency which has the authority to accept volunteer services. A volunteer is subject to the provisions of the authorizing statute and the NCP.

1220 Acronyms

ACP - Area Contingency Plan

AC - Area Committee

AIRSTA - Coast Guard Air Station

AOR - Area of Responsibility

BNTM - Broadcast Notice to Mariners

CCC - California Conservation Corps

CCC/BCDC - California Coastal Commission/San Francisco Bay Conservation and Development Commission Joint Oil Spill Program

CMC - Center for Marine Conservation

CERCLA - Comprehensive Environmental Response Compensation and Liability Act

CFR - Code of Federal Regulations

CG OWOCRS - Coast Guard Open Water Oil Containment and Recovery System

COTP - Captain of the Port

CSP - California State Parks

DFG - California Department of Fish & Game

DOI - Department of the Interior

DRG - District Response Group

DRAT - District Response Advisory Team

EEZ - Exclusive Economic Zone

EPA - Environmental Protection Agency

FOSC - Federal On-scene Coordinator

FOSO - Friends of the Sea Otter

FWPCA - Federal Water Pollution and Control Act

GIS - Geographic Information System

HAZWOPER - Hazardous Waste Operations and Emergency Response

HBRC - Humboldt Bay Response Corporation

IBRRC - International Bird Rescue and Research Center

ICS - Incident Command System

JIC - Joint Information Center

MAC - Multi-agency Committee

MBARI - Monterey Bay Aquarium Research Institute

MEXUSPAC - U.S/Mexico Pacific Coast Joint Response Team

MMC - Marine Mammal Center

MMS - Department of the Interior Minerals Management Service

MOA - Memorandum of Agreement

MOU - Memorandum of Understanding

MSO - Coast Guard Marine Safety Office

MSD - Coast Guard Marine Safety Detachment

MSRC - Marine Spill Response Corporation

NCP - National Contingency Plan

NMS - National Marine Sanctuary

NOAA - National Oceanic and Atmospheric Administration

NPFC - National Pollution Funds Center

NPREP - National Preparedness for Response Exercise Program

NRC - Coast Guard National Response Center

NRDA - Natural Resource Damage Assessment

NRT - National Response Team

NSCC - National Scheduling and Coordinating Committee

NSFCC - National Strike Force Coordination Center

NTM - Notice to Mariners

OCS - Outer Continental Shelf

OES - State of California Office of Emergency Services

OPA 90 - Oil Pollution Act of 1990

OSC - On-Scene Coordinator

OSLTF - Oil Spill Liability Trust Fund

OSPR - California Department of Fish and Game Office of Oil Spill Prevention and Response

OSRO - Oil Spill Response Organization

OSRV - Offshore Response Vessel

PIAT - Public Information Assist Team

PLE - Pacific Link Environmental

POLREP - Coast Guard Pollution Report Message

PREP - Preparedness for Response Exercise Program

PST - Pacific Strike Team

QI - Qualified Individual

RP - Responsible Party

RRT - Regional Response Team

RWQCB - Regional Water Quality Control Board

SAR - Search and Rescue

SB 2040 - California Senate Bill 2040 (Lempert-Keene-Seastrand Oil Spill Prevention and Response Act)

SIOSC - State Inter-agency Oil Spill Committee

SISRS - Site Identification and Spill Response Strategy

SLC - California State Lands Commission

SMT - Spill Management Team

SONS - Spill of National Significance

SORS – Spilled Oil Recovery System

SOSC - State On-Scene Coordinator

SSC - NOAA Scientific Support Coordinator

SUPSALV - Navy Supervisor of Salvage Operations

TTX - Tabletop Exercise

UCS - Unified Command System

USCG - United States Coast Guard

USFWS - United States Fish and Wildlife Service

USNPGS - United States Naval Postgraduate School

VOSS - Vessel of Opportunity Skimming System

VTs - Coast Guard Vessel Traffic Service

VTS - Vessel Traffic Study

WWW - World Wide Web

1300 AREA COMMITTEE PURPOSE & OBJECTIVE

The primary role of the Area Committee is to act as a preparedness and planning body. Area Committees are made up of experienced environmental/response representatives from Federal, State and local government agencies with definitive responsibilities for the area's environmental integrity. Each member is empowered by their own agency to make decisions on behalf of the agency and to commit the agency to carrying out roles and responsibilities as described in this plan. The pre-designated Federal On-scene Coordinator for the area will serve as chairman of the Committee. He/she will designate the vice-chairman, select the Committee members, and provide general direction and guidance for the Committee. The OSC should solicit the advice of the RRT to determine appropriate representatives from federal and state agencies. The Area Committee is encouraged to solicit advice, guidance, or expertise from all appropriate sources and establish subcommittees as necessary to accomplish the preparedness and planning tasks.

Subcommittee participants may include facility owners/operators, shipping company representatives, cleanup contractors, emergency response officials, marine pilots associations, academia, environmental groups, consultants, response organizations and concerned citizens. The OSC will appoint subcommittee members. The OSC directs the Area Committee's development and maintenance of the Area Contingency Plan.

1400 GEOGRAPHIC BOUNDARIES

1410 Captain of the Port's Area of Responsibility

The Marine Safety Office (MSO) Los Angeles-Long Beach's Captain of the Port (COTP) Area of Responsibility (AOR) is specified in 33 CFR 3.55-10 and comprises the land masses and waters of California from the Monterey-San Luis Obispo County line extending to the Orange-San Diego County line. Under the Oil Pollution Act of 1990, Federal removal authority was extended to include the waters of the exclusive economic zone established by Presidential Proclamation Numbered 5030 dated March 10, 1983.

In general, the Coast Guard COTP is the pre-designated Federal OSC (FOSC) for incidents originating in the coastal zone while the EPA supplies the OSC'S for incidents originating in the inland zone. These boundaries recognize the Coast Guard's primarily responsibility over discharges and releases in navigable waters from vessel and waterfront facilities as defined in 33 CFR 126.01. The coastal zone now consists of coastal waters and internal waters as far inland as the Coast Guard-EPA demarcation line. The demarcation line between the coastal-inland zone generally follows the coast highway. The demarcation line deviates from the coast highway (US 1) in most urban areas to other thoroughfares bordering the immediate coastline. The exact Coast Guard/Environmental Protection Agency (CG/EPA) boundary is described below.

The MSO Los Angeles-Long Beach's COTP and FOSC Area of Responsibility has been further divided into two areas for the OPA-90 Area Contingency Plan's Area Committees as described below.

1411 Northern Sector – San Luis Obispo, Santa Barbara, & Ventura Counties

The San Luis Obispo/Santa Barbara/Ventura Area extends from the Northern Los Angeles County border to the Northern San Luis Obispo County border.

The inland boundary is determined by the CG/EPA boundary. This is defined from the Southern Ventura County line along Highway 1 along the coast to Hueneme Road (Oxnard); west to Ventura Road; north to Channel Islands Blvd.; west to Harbor Blvd.; north to US 101; north along US 101 to Route 225 (Santa Barbara); Route 225 west to US 101; north along US 101 to Gaviota. Within Gaviota State Park shift to Southern Pacific railroad tracks;

along the mainline tracks to Black Road (Casmalia); north to Route 1; north to the San Luis Obispo/Monterey County Line.

1412 Southern Sector – Los Angeles & Orange Counties

The Los Angeles/Orange Area extends from the Southern Orange County border to the Northern Los Angeles County border.

The inland boundary is determined by the CG/EPA boundary. This line begins at the San Diego/Orange county line at I-5 north to Pacific Coast Highway (Route 1); Route 1 north to Jamboree Road (Newport Beach); north to Bristol Street; west to Irvine Avenue; south to 17th Street; west to Route 55; south to Route 1; Route 1 north to Golden West Street (Huntington Beach); and north to Warner Avenue; west to Bolsa Chica; north to Westminster Avenue. This line then extends west along Westminster Blvd. and begins right before the intersection with the Pacific Coast Highway (Highway 1); north to 7th Street; north and west to Ximeno Avenue; south to Livingston Drive; west to Ocean Blvd.; west along Ocean Blvd. to the intersection with Los Angeles River's east bank; north along Los Angeles River east bank to Anaheim Street; west to Alameda Street; south to B Street (Wilmington); west to Gibson Blvd.; south to Harbor Blvd. (San Pedro); south to Crescent Avenue; south to 22nd Street; west to Pacific Avenue; south to Paseo Del Mar; north on Western Avenue; west and north to 25th Street; 25th Street/Palos Verdes Drive around the Palos Verdes Peninsula to Route 1; north to Beryl Street (Redondo Beach); west to Harbor Drive; north along the coast roads through the beach cities to Culver Blvd. (Playa del Rey); and north to Route 1 to the Ventura County line.

1500 NATIONAL AND AREA RESPONSE SYSTEM

1510 National Response System

The National Response System (NRS) (see **Figure 1000-A**) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective clean up of an oil or hazardous substance discharge. The NRS is a three tiered response and preparedness mechanism that supports the pre-designated Federal OSC in coordinating national, regional, local government agencies, industry, and the responsible party during response.

The NRS supports the responsibilities of the FOSC, under the direction of the Federal Water Pollution Control Act's federal removal authority. The FOSC plans and coordinates response strategy on scene, using the support of the National Response Team (NRT), Regional Response Team (RRT), Area Committees, and responsible parties as necessary, to supply the needed trained personnel, equipment, and scientific support to complete an immediate and effective response to any oil or hazardous substance discharge.

The NRS is designed to support the FOSC and facilitate responses to a discharge or threatened discharge of oil or a hazardous substance. The NRS is used for all spills, including a Spill of National Significance (SONS) (See Section 1511). When appropriate, the NRS is designed to incorporate a unified command and control support mechanism (unified command) consisting of the FOSC, the State's Incident Commander, and the Responsible Party's Incident Manager. The unified command structure allows for a coordinated response effort which takes into account the Federal, State, local and responsible party concerns and interests when implementing the response strategy. A unified command establishes a forum for open, frank discussions on problems that must be addressed by the parties with primary responsibility for oil and hazardous substance discharge removal. A unified command helps to ensure a coordinated, effective response is carried out and that the particular needs of all parties involved are taken into consideration. The FOSC has the ultimate authority in a response operation and will exert this authority only if the other members of the unified command are not present or are unable to reach consensus within a reasonable time frame. During hazardous substance release responses in which local agencies usually assume a leading role, the local agency may assume one of the unified commander roles when a unified command is used. During responses to oil spills, local agencies are not usually involved as part of a unified command, but provide agency representatives who interface with the command structure through the Liaison Officer or the State representative. When a unified command is used, a Joint Operations Center and Joint Information Bureau shall be established. The Joint Operations Center should be located near and convenient to the site of the discharge. All responders (Federal, State, local and private) should be incorporated into the FOSC's response organization (**Figure 1000-B**) at the appropriate level.

1511 Spill of National Significance (SONS)

A Spill Of National Significance (SONS) is that rare, catastrophic spill event which captures the nation's attention due to its actual damage or significant potential for adverse environmental impact. A SONS is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of Federal, State, local and private resources to contain and clean up.

The response to a SONS event must be a coordinated response that integrates the FOSC's response organization with the SONS response organization (**Figure 1000-C**).

1511.1 SONS Declaration and Area Command Activation

The Commandant of the Coast Guard alone is empowered to declare a SONS in the coastal zone, taking into account environmental risks, weather conditions, response capabilities, and the amount, or potential amount, of product spilled. A Coast Guard Area or District Commander may recommend to the Commandant that a SONS be declared. Factors to be considered in declaring a SONS might include:

Multiple OSC zones, districts, or international borders may be affected;

Significant impact or threat to the public health and welfare, wildlife, population, economy and/or property over a broad geographic area;

Protracted period of discharge and/or expected cleanup;

Significant public concern and demand for action by parties associated with the event;
and,

The existence of, or the potential for, a high level of political and media interest.

Once the Commandant declares a SONS, the following actions will occur.

An Incident Area Commander will be designated.

Other Departments/Agencies will be notified.

A unified Area Command will be established.

All pre-designated ICS Area Command staff personnel will be placed on immediate alert.

The Incident Area Commander will have overall responsibility for the incident strategic management and will ensure the following:

- a. Incident Commanders (FOSCs) covered by the Area Command are notified that an Area Command is being established.
- b. The Incident Area Command team consists of the best qualified personnel with respect to their functional areas. The functions of Area Command require personnel that have experience in, and are qualified to oversee, complex response situations.
- c. The Incident Area Command organization operates under the same basic principles as does the Incident Command System.
- d. The Incident Area Command organization is kept as small as possible. The Incident Area Command organization will typically consist of the Incident Area Commander and Incident Area Command Logistics Chief, Planning Chief, Resources Unit Leader, Situation Unit Leader, Information Officer and Liaison Officer. Flexibility exists to add a Finance Chief and/or a Chief of Staff.

1511.2 General Organization

Incident Area Command is an organization established to oversee the management of a very large incident that has multiple Incident Command Response Organizations assigned to it. If the incidents are under the authority of the Incident Area Command are multi-jurisdictional, a Unified Incident Area Command should be established. This allows each jurisdiction to have representation in the Area Command. Representatives to the Incident Area Command would typically be at the highest executive levels within a responding organization such as a state governor or direct representative, and CEO or President of the affected commercial entity.

For the incidents under its authority, Incident Area Command has the responsibility to:

- a. Set the overall incident related strategic priorities.
- b. Allocate critical resources based on those priorities.
- c. Ensure that the incident is properly managed.
- d. Ensure that incident objectives are met, and do not conflict with each other or with agency policy.

When an Incident Area Command is established, Incident Commanders (FOSCs), will report to the Incident Area Commander. The Incident Area Commander is accountable to the Commandant.

Although the general concept for a nationally significant response involves an oil spill, major natural disasters such as earthquakes, floods, or hurricanes create a large number of incidents affecting multi-jurisdictional areas. Due to their size and potential impact, these incidents provide an environment for the use of Incident Area Command as deemed appropriate by the lead federal agency.

In situations where multiple incidents are occurring, the use of an Incident Area Command makes the jobs of FOSCs more manageable for the following reasons:

- a. Much of the inter-incident coordination normally required of each FOSC will be accomplished at the Incident Area Command level. Using an Incident Area Command organization allows the FOSCs and their response organization to focus their attention on their assigned incident.
- b. Incident Area Command sets priorities between competing FOSC objectives and resource needs.
- c. Incident Area Command ensures that established agency policies, priorities, constraints, and guidance are made known to the respective Incident Commanders.

It is important to remember that Incident Area Command does not replace the Incident Command level ICS organization or functions.

Incident Commanders under the designated Incident Area Commander, are responsible to and should be considered as part of, the overall Incident Area Command organization. They must be provided adequate and clear delegation of authority.

1511.3 Suggested Composition of an ICS Area Command.

The following represents a possible staffing structure for an ICS Area Command. The Incident Area Commander,, whether at the District or Area level, may add positions and personnel to their staff as the situation dictates. It is important to note that some positions may be filled by personnel from other agencies such as GSA, FEMA, DOD, state government, or the responsible party. If the Incident Area Command is stood up at the District level, the Incident Area Unified Commander would be the District Commander and the corresponding staff would be from the appropriate District Response Group (DRG) as well as any other district resource.

Incident Area-Command Position

ICS Area Unified Commander

Deputy ICS Area Commander

Liaison officer

Suggested/Recommended Billet

USCG Area Commander

Lant/PacArea(m)(0-6),
G-MO,(O-6) or CO NSFCC,(O-6)

District(Pm)/RRT Co-Chair

(0-6)

Information Officer
Protocol Officer
Public Affairs Officer

G-CP (0-6)
G-CC (0-5)
LANT/PAC AREA (ACP/PCP)
(0-4)

Planning Section Chief
Situation Unit Leader
Resource Unit Leader

NSFCC CO/XO (0-6/5)
NSFCC PREP Team Leader,(O-4)
NSFCC OPS,(O-4)

Logistics Section Chief

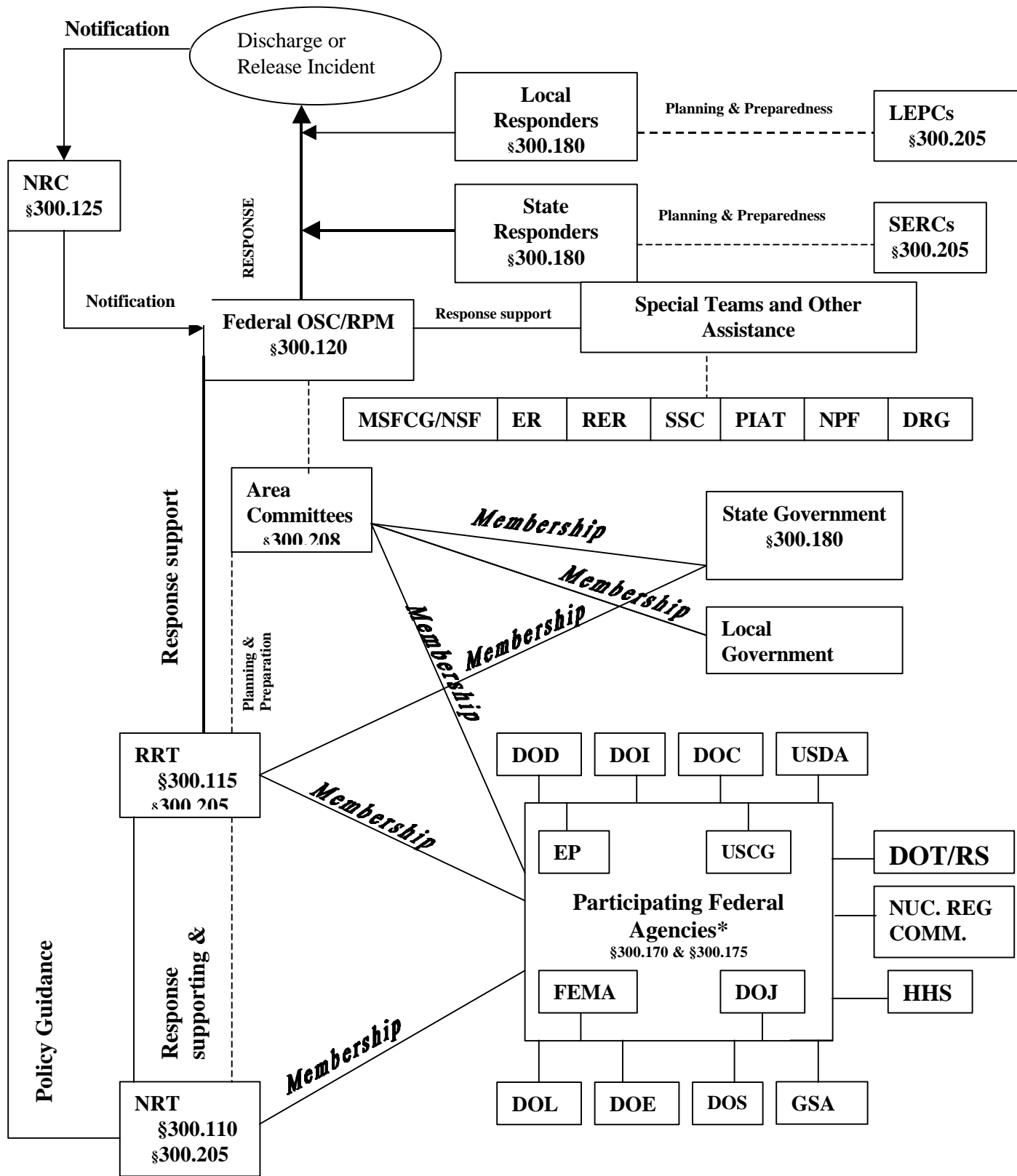
MLC Lant/PAC, (0-6)

1511.4 Establishment of Area Command

The establishment of an ICS Area Command can occur with the District Commander filling the role of Incident Area Commander. This organization would be particularly useful for incidents which are challenging to the local commanders but do not demand national attention. At this level most billets would be drawn from district level resources, District Response Groups, and aimed at reducing the overhead to be managed by the Incident Commander. Further, Incident Management Teams can be called upon to augment the Incident Commander's staff. This ability to project a flexible response facilitates an expanding or contracting response effort, drawing upon one of the strengths of ICS.

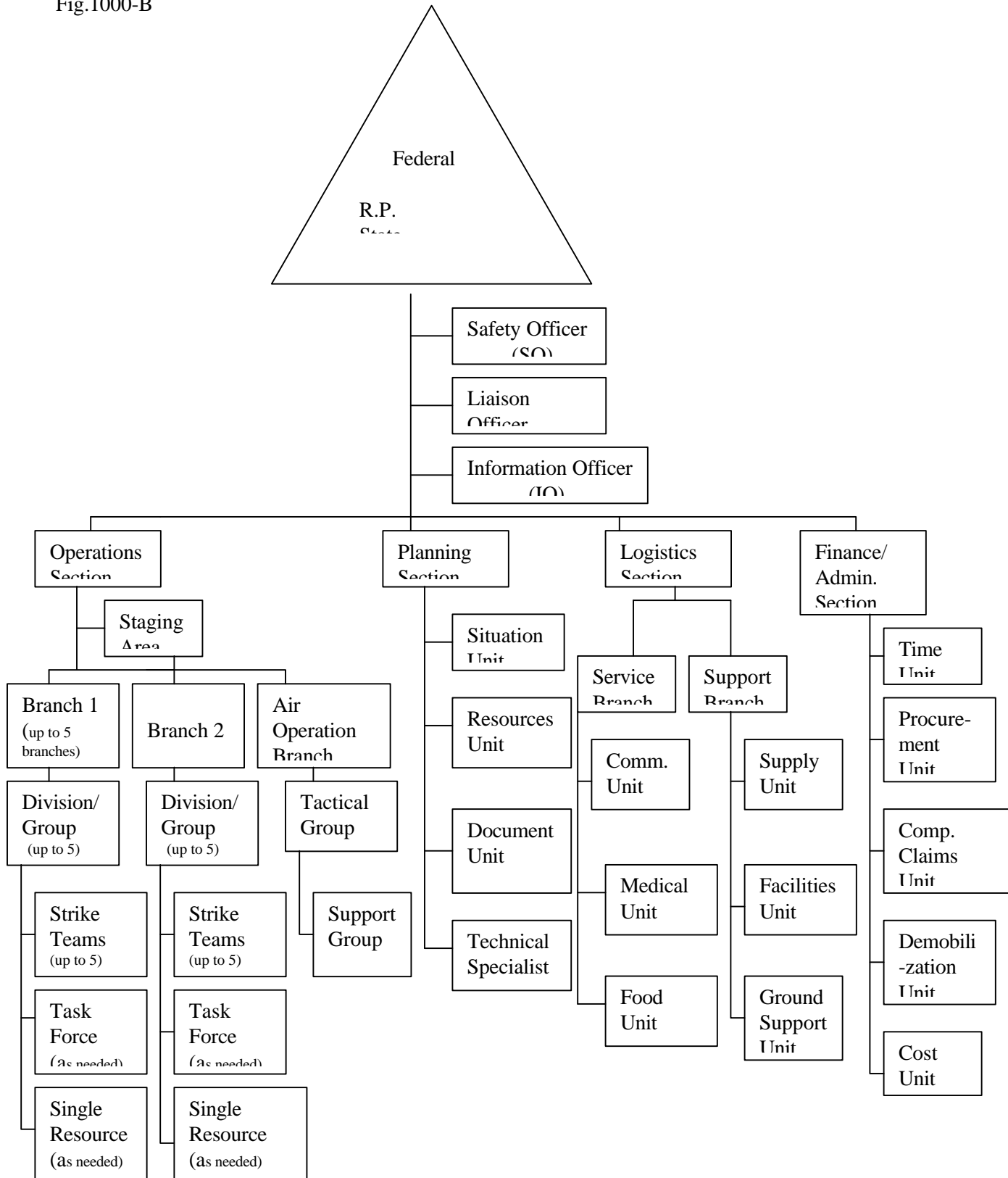
Figure 1000A

National Response System Concepts



Standard Incident Command System

Fig.1000-B



Suggested Incident Command System Area Command Organization

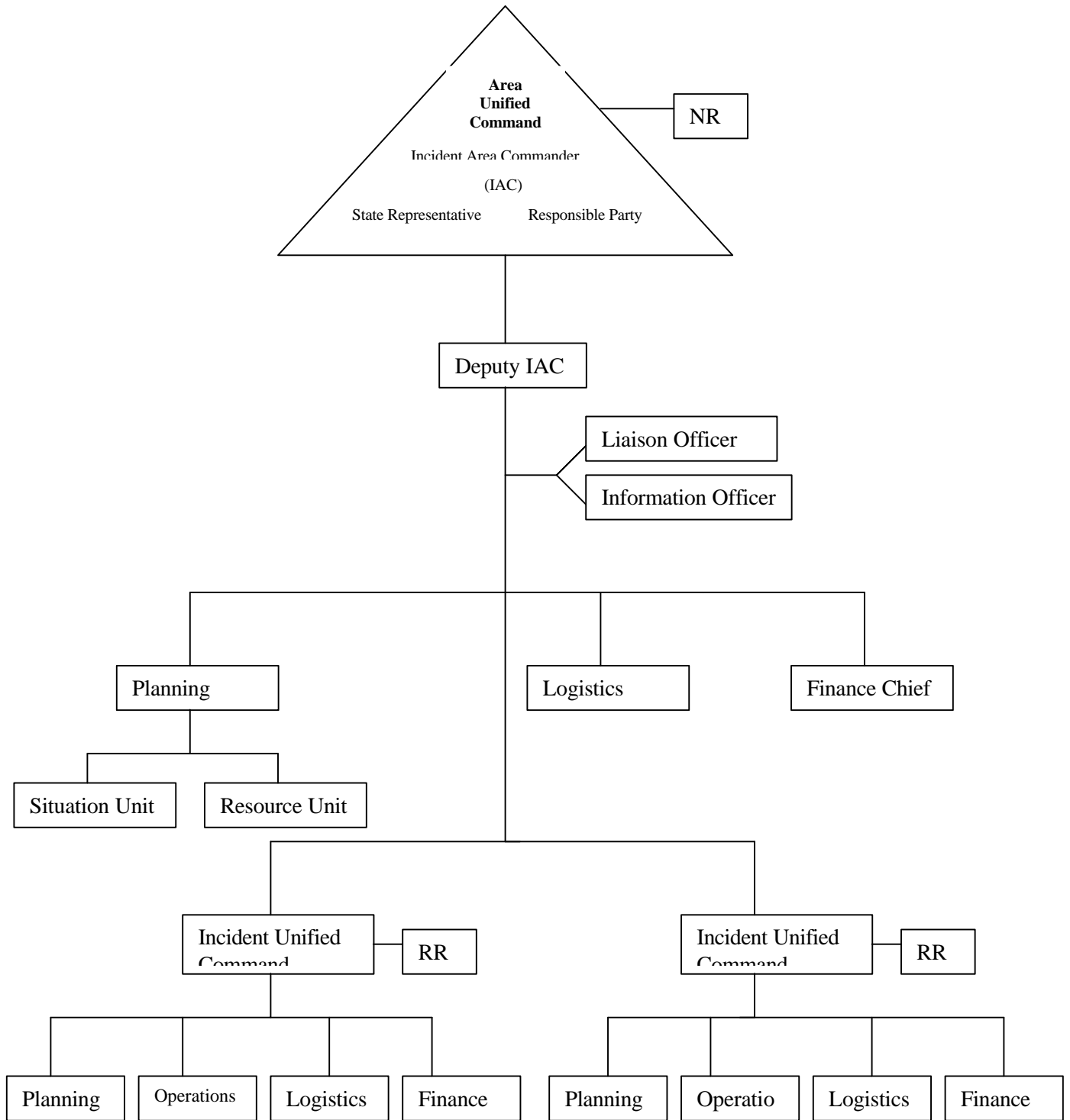


Figure 1000-C

Per COMDTINST 16465.1

1520 National Response Policy

Section 4201 of OPA 90 amended Subsection (c) of Section 311 of the FWPCA, to require the Federal OSC to "in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance -

- (i) into or on the navigable waters;
- (ii) on the adjoining shorelines to the navigable waters;
- (iii) into or on the waters of the exclusive economic zone; or
- (iv) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States."

"In carrying out these functions, the OSC may:

- (i) remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of a discharge, at any time;
- (ii) direct or monitor all Federal, State, and private actions to remove a discharge; and
- (iii) recommend to the Commandant that a vessel discharging or threatening to discharge, be removed and, if necessary, destroyed."

If the discharge or substantial threat of discharge of oil or hazardous substance is of such size or character as to be a substantial threat to the public health or welfare of the United States (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), the OSC shall direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.

1530 State Response System

Marine oil spills are typically multi-jurisdictional events involving the responsible party, the State of California represented by the Department of Fish and Game (DFG), Office of Oil Spill Prevention and Response (OSPR), local government, and the United States Coast Guard. Section 8670.7 of the California Government Code establishes that the Administrator of OSPR has the primary state authority to direct removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in the marine waters of the State. In recognition of the multi-jurisdictional nature of marine oil spills, the State Marine Oil Spill Contingency Plan provides a response frame work using the Unified Command version of the Incident Command System that meets 29 CFR 1910.120 and CCR Title 19, Division 2, Chapter 1, Sections 2401 thru 2450, the Standardized Emergency Management System (SEMS) Regulations requirement with respect to emergency management response to an oil spill discharge.

The Unified Command Structure provides for the incorporation of local government through Local Emergency

Management Plans (Local Government Oil Spill Contingency Plans are a subset of this plan), SIOSC members, the responsible party and the Federal Government represented by the U.S. Coast Guard which is the pre-designated On Scene Coordinator (OSC) under the National Contingency Plan.

The Unified Command will consist of the U.S. Coast Guard, OSPR, and the responsible party. The Unified Command will direct the tactical and strategic response to an oil spill with a unified position to insure clear direction to the responsible party and efficient utilization of resources. OPA 90 clearly establishes that the OSC has the ultimate responsibility for directing oil spill response including response objectives and strategies.

The U.S. Coast Guard in recognition of the vital role and interest local government and the State have in marine oil spills, has entered into a Memorandum of Agreement (MOA) with the State that formalizes designation of responsibilities and authority at the state and local level relative to marine oil spill planning and response.

The U.S. Coast Guard and State MOA is consistent with the requirements of the SEMS regulations which incorporate a broad range of emergency management practices to effectively respond to disasters. Between disasters, SEMS builds connections to integrate management, communications, and resources at the local, regional, and statewide levels to maximize the responsiveness of emergency personnel. SEMS is multi-leveled and designed to manage disasters anytime and anywhere in the State. It is intended to facilitate priority setting, interagency cooperation, and the efficient flow of resources and information, but does not alter statutory authorities or responsibilities of emergency responders. SEMS provides the framework for coordinating state and local government emergency response in California using the existing incident command system and mutual aid agreements. It consists of five organizational levels, five main functions, mutual aid, the Incident Command System, multi/inter-agency coordination, and the operational area concept.

The five organizational levels are:

1. Field level, which includes those entities which manage and coordinate response at the emergency scene.
2. Local level, which manages and coordinates county, city, or special districts (which in turn manage and coordinate the field levels).
3. Operational areas, which manage and coordinate at the local level (essentially all local governments within the geographic boundary of a county).
4. Regional levels, which manage and coordinate information and resources among operational areas.
5. State level, which provides statewide regional level resource coordination integrated with federal resource coordination.

The five main functions of the SEMS structure are:

1. Management, which provides the overall direction and sets priorities for an emergency, limited by the jurisdiction roles and responsibilities.
2. Operations, which implements priorities established by the management function.
3. Planning/Intelligence, which gathers and assesses information.
4. Logistics, which obtains the resources to support the operations.
5. Finance/Administration, which tracks all costs related to the operation.

Most local jurisdictions have “mutual aid” agreements. These agreements provide a means for a community, that has fully committed all of its available resources to a local emergency, to obtain additional resources from surrounding communities and counties. Mutual aid agreements are used daily and during disasters by fire, law enforcement, health care, and other disciplines. SEMS incorporates existing, and newly developed mutual aid systems.

The Incident Command System provides standardized procedures and terminology, a unified command structure, a manageable span of control, and an action planning process that identifies overall incident response strategies. Within SEMS the general concepts of the ICS are translated to each level of the statewide response system--from a local field incident to statewide coordination. This allows seamless communications among all responding agencies and levels of government.

SEMS has incorporated a *Maintenance System* comprised of an Advisory Board, a Mutual Aid Regional Advisory Committee, a Technical Group, and Specialist Committees designed to ensure that SEMS incorporates new knowledge gained through emergency response experience, regulatory changes and/or technological developments. With each application of SEMS, new ideas arise to improve the system.

Effective operation of SEMS is critically dependent upon timely and accurate information flow between all components of the system. The Governor’s Office of Emergency Services (OES) has recently instituted the Response Information Management System (RIMS) which is a network that allows for the rapid exchange of critical information and resource management data between various organizational levels during a disaster, including oil and hazardous materials spills. The intent of RIMS is to provide responding agencies a clearer picture of emergency activities and committed resources, by enabling local governments to request and obtain needed assistance and resources, as well as the ability to access such requests and their status. Eventually, RIMS will help the transition from response to recovery by allowing local jurisdictions to be put on-line for computer access.

1531 State Marine Oil Spill Response Utilizing Unified Command Application of the Incident Command System

The Unified Command application of the incident command system will represent the emergency management system implemented at marine oil spills. In keeping with basic principles of ICS, the magnitude and complexity of the emergency dictates which functional area is activated and to what level. The policy of the OSPR will be to insure that full implementation of the OSPR incident command response team is on scene within six hours of a reported spill event, in order to support and/or relieve OSPR first responders.

Local, State, and private resources will be directed, at time of arrival on scene, to the appropriate function within the Unified Command structure. It is recognized that each organization participating in the response may have a command and control organization under which it operates, of which some of the components solely support internal operations and management. The objective of the State Marine Oil Spill Contingency Plan is to identify functional areas where early integration and coordination will improve the efficiency of the response.

By integrating response management in clearly defined units early in the response, consensus and mobilization can be more quickly achieved and limited resources combined to reduce duplication of effort and enhance response performance and perception by the public.

1532 State Interagency Oil Spill Committee (SIOSC)

Pursuant to Sections 8574.1 et seq. of the California Government Code, SIOSC addresses the need for a specific response to land and water releases of oil and petroleum products within California. SIOSC is composed of representatives of state agencies and is chaired by the Administrator of the OSPR.

SIOSC establishes and maintains liaison with federal and local agencies, and public and private organizations

engaged in oil pollution prevention and control. It coordinates day-to-day procedures and practices between state agencies and other organizations relative to the prevention and mitigation of oil pollution from oil discharges.

SIOSC also recommends necessary research, development and testing by appropriate organizations of materials, equipment, and methods related to oil spill prevention and control, and prepares and updates the California Oil Spill Contingency Plan. It provides guidance and state agency input to the Regional Response Team, the federal On Scene Coordinator and the State Agency Coordinator in an oil spill emergency.

The State Interagency Oil Spill Committee consists of the Administrator, OSPR as Chairman, and chair-persons from the State Lands Commission and the California Coastal Commission, or their designees, and a designated representative from all of the following agencies:

- The California Office of Emergency Services;
- The California State Lands Commission;
- The California State Water Resources Control Board;
- The California Department of Justice;
- The California Highway Patrol;
- The California National Guard;
- The California Department of Conservation(Division of Oil & Gas);
- The California Department of Fish and Game;
- The California Department of Transportation;
- The California Department of Health Services;
- The California Department of Parks and Recreation;
- The California Department of Water Resources;
- The California Department of Forestry;
- The California State Fire Marshal;
- The California Regional Water Boards;
- The California Resources Agency;
- The California Office of Environmental Affairs; and
- The California Conservation Corps.

Agency capabilities for oil spill emergency response are tabulated in **FIG 1000-D** and **1000-E**.

FIGURE 1000-D

AGENCY CAPABILITIES FOR OIL SPILL EMERGENCY RESPONSE				
STATE LEVEL				
AGENCY NAME	OPS	LOGISTICS	PLANS	FINANCE
Air Resources Board		X	X	
Coastal Commission			X	
Conservation Corps	W/Oil	X		
Conservation/Div Oil & Gas		X	X	I
Emergency Services (OES)	PIO/LE	X	X	D
Fire Marshal	LE	X	X	
Fish & Game/OSPR	W/IC/LE	X	X	I/E/C
Forestry (CDF)	LE/FP	X	X	
Highway Patrol	IC/LE	X	X	
Dept of Justice	LE	X	X	E
State Lands Commission		X	X	
National Guard		X	X	
Parks and Recreation	OIL/LE	X	X	I
Toxic Substances Control		X	X	E
Dept of Transportation	X	X	X	I
Dept of Water Resources		X	X	I
State Water Resources Control Board		X	X	E

FIGURE 1000-E

LOCAL LEVEL				
AGENCY NAME	OPS	LOGISTICS	PLANS	FINANCE
County OES	IC	X	X	D
Fire & Rescue	FP	X	X	
Animal Services	W		X	
Law Enforcement Services	LE	X		
Mass Care Services		X		
Medical Services		X		
Public Health Services		X	X	
Public Works	OIL	X	X	
Resource and Support		X	X	

LEGEND FOR FIGURES 1000-D & E	
C	Available to affected entities/ persons
D	Channels State and Federal disaster fund
E	Available to external agencies
FP	Fire protection
I	Available internally
IC	Can act as Incident Commander
LE	Law enforcement
OIL	Oil spill cleanup
PIO	Public Information Officer
W	Wildlife Care
X	Provides functional support
Note: All state agencies may have a Liaison Function	

1540 State Response Policy

The lead agency for the State of California is the Department of Fish and Game, Office of Oil Spill Prevention and Response (OSPR), which has full authority, to guide and coordinate all state oil spill or hazardous materials responses that impact or threaten California coastline areas or waterways. Under California Senate Bill 2040, the Administrator of OSPR has the authority to guide and direct State oil spill cleanup efforts in State marine waters.

It is the policy of the state to respond immediately to all oil spills, control the source of any oil spill to contain any discharge to the maximum extent possible. Mechanical and other physical control methods shall be the preferred method for removal of oil from the environment with subsequent proper disposal. The option of taking no mitigative action should be considered when such actions would cause greater environmental damage than the spilled oil alone. The use of oil spill cleanup agents shall be subject to the Administrator of OSPR's best judgment and coordinated with the federal OSC and EPA representative to the RRT.

Whenever it is determined the person(s) responsible for the discharge of the oil is taking adequate action to remove and mitigate its effects, the principle thrust of the state is to observe, monitor and provide advice and counsel, as may be necessary.

Whenever it is determined that the person(s) responsible for the discharge of oil does not act promptly, does not take proper and appropriate actions to contain, cleanup and dispose of the oil or oily debris, protect the environment, follow the accepted safety practices or the costs of such mitigating capabilities would be over and beyond those normally expected to be borne by such persons, or the discharger is unknown, the Administrator will take steps to access the state fund or the federal fund to ensure complete cleanup.

It is the policy of the state for all state agencies to follow applicable provisions of the State Contingency Plan when they are engaged in day-to-day operations when responding to oil spills.

1550 Local Response System & Policy

1551 San Luis Obispo County

San Luis Obispo County's plan is consistent with the state and national plans. In the event of an oil spill or potential spill threatens local waters, local agencies would work closely with the federal OSC, the DFG's Office of Spill Prevention and Response, and the responsible party (RP) to provide an adequate and coordinated response. The objective of San Luis Obispo County Oil Spill Contingency Plan is to improve and guide the county, harbor districts and departments, and coastal cities response to oil spills in the marine environment by identifying the response organization, the lines of authority, the working relationships between federal, state and local agencies, the responsibilities of the responsible party, and the State's protection priorities.

While the primary authority and responsibility to oversee an oil spill cleanup rests with state and federal officials, the local response system will probably be involved as first responders. Local roles would integrate with state, federal, and RP's organization to provide local liaison and possibly logistical support. In order to accomplish this, the local public agencies initial response may consist of:

County Hazardous Materials Coordinator (County Health Department)
Fire Department of Jurisdiction

If necessary, additional public agency response may consist of:

Local Port Agencies and Districts
County Sheriff's Office
Locally based CHP

Due to the jurisdictional and resource constraints of local government, local public agencies have a limited ability to respond to marine oil spills. Private and industry supported response groups are located in the area and would be the primary initial response to actually begin mitigation and cleanup efforts. The local response system should be used as a support to these resources. For more information see the San Luis Obispo County Oil Spill Contingency Plan.

1552 Santa Barbara County

The Santa Barbara County Oil Spill Contingency Plan, Tab E: Local Response System, describes the local response system's emergency operating procedures for an offshore oil spill under the jurisdictional authority of the County of Santa Barbara. An offshore oil spill could result from a marine tanker mishap, an underwater pipeline failure, a marine tanker loading/unloading operation, a platform blowout, an onshore release which threatens the ocean, or a release from a pipeline on land, near shoreline.

As this section is the offshore portion of the Area Oil and Gas Industry Emergency Plan (ERP), the assumption is made that the first person to arrive on the scene will be a representative of the local petroleum industry. Local agency responders, such as the fire department may arrive shortly thereafter barring other simultaneous emergencies. For more information see the Santa Barbara County Oil Contingency Plan.

1553 Ventura County

Ventura County's Oil Spill Response System shall parallel that identified for "Hazardous Materials" as defined in the approved "Area Plan" dated 1992. Under this plan, the Ventura County Fire Protection District (or appropriate City, State, or Federal Fire Agency) shall be the first responder to any such notification. All Fire agencies within Ventura County utilize the Incident command System. It shall be the responsibility of the Incident Commander (or his/her delegatee) to advise other County agencies of the response. As other agencies and the responsible party(s) arrive at the Incident Command Post, the ICS shall evolve into a Unified Command Structure, providing all parties representation in decisions affecting incident outcomes. For more information see the Ventura County Oil Spill Contingency Plan.

1554 Los Angeles County

To be developed

1555 Orange County

The command structure utilized in the Orange County Operational Area Marine Oil Spill Contingency Plan is the Incident Command System (ICS). The ICS organizational structure contains five functions: 1) Command; 2) Operations; 3) Planning; 4) Logistics, and 5) Finance. The "Command" function used is the Unified Command, wherein a representative of the County and each of the impacted coastal cities which have adopted this Plan take part as equal members of a command team in carrying out the purpose of this Plan. This unified command is identified as the Orange County Operational Area Unified Command. For more information see the Orange County Operational Area Marine Oil Spill Contingency Plan.

1560 Responsible Party Response Policy

Under OPA 90, the responsible party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable response plan. Section 4201(a) of OPA 90 states that an

owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the National Contingency Plan and the applicable response plan required. Section 4202 of OPA 90 states that these response plans shall:

- "(i) be consistent with the requirements of the National Contingency Plan and Area Contingency Plans;
- (ii) identify the qualified individual having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);
- (iii) identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;
- (iv) describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge;
- (v) be updated periodically; and
- (vi) be resubmitted for approval of each significant change."

Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR Parts 154 and 155, respectively.

As defined in OPA 90, each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan, and the applicable response plan required by OPA 90. If directed by the OSC at any time during removal activities, the responsible party must act accordingly.

Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.).

Spills Involving Multiple Parties

Under the OPA 90 an incident involving two or more responsible parties, each responsible party for a vessel or facility from which oil is discharged is liable for the removal costs and damages. Each responsible party's liability extends to the entire incident not just its own oil. In such a multiple party incident, the FOSC shall issue administrative orders to each responsible party.

1600 AREA ORGANIZATIONS: AUTHORITIES & POLICIES TBD

1700 PLAN REVIEW

Plans shall be reviewed to ensure all information is current, and in particular, the following areas shall be looked at: emergency notification list, response equipment information (type and amount of equipment available), sensitive areas, hazard/risk assessment of the area, response strategies (changes based on new technology, new equipment, etc.), dispersant approval.

This Area Contingency Plan can be accessed and downloaded from internet address:

<http://www.uscg.mil/pacarea/pm/Graphic/LALBacp.htm>

Contact the local MSO for information about sources of supply for paper copies of the ACP.

1800 EXERCISE PROCESS

The opportunity to exercise this plan and components of this plan presents itself via the National Preparedness for Response Exercise Program (NPREP or PREP). The final PREP guidelines booklet was published in August 1994 and is available at no charge by writing to:

TASC Dept Warehouse, 3341 Q 75th Ave, Landover, MD 20785.

The publication number is **USCG-X0191**. Additional PREP information can be found at the following web site:

<http://www.uscg.mil/hq/g%2Dm/nmc/response/prepques.htm>

The PREP guidelines also apply for vessel and facility plan holders. This following discussion focuses on the PREP requirements for the Planning Areas as designated in section 1400 of this plan. The Eleventh Coast Guard District PREP Coordinator can be reached at **510-437-2958**, or by writing:

**Commander (Pmr-1), PACAREA/11th Coast Guard District,
Bldg 50-6 Coast Guard Island, Alameda, CA 94501-5100.**

The Area exercises are divided into two classification categories; internal and external. The internal exercises are: Notification Drills (quarterly); Spill Management Team Tabletop Exercises (SMT-TTX) (annually); Equipment Deployment Exercises (annually); and, Government Initiated Unannounced Exercises (maximum of 4 per area per year). The external exercises are Government led Area exercises and Industry led Area exercises. The On-scene Coordinator (OSC) is responsible for planning, designing, and executing the internal exercises. The National Strike Force Coordination Center (NSFCC) is responsible for scheduling the external exercises and the appropriate OSC remains involved in the planning, design, and execution of the Government led Area exercises. The OSC will consult in exercise development and will participate as appropriate in the Industry led Area exercises.

The scope and objectives of internal and external Area exercises are detailed in the PREP guidelines. Members of the Area Committee and response community will be involved in each type of exercise to some degree, varying from the confirmation of a phone number to assisting in the design of a the scenario and performing as a controller or evaluator of the exercise.

Participation in the PREP and utilization of the PREP guidance will ensure that all federal exercise requirements mandated by OPA 90 have been met. The PREP program requirements are optional for vessel and facility plan holders. However, if PREP guidelines are not followed, plan holders will be required to meet the drill requirements in 33 CFR 155.1060 (vessels) or 33 CFR 154.1055 (facilities). As part of their normal operations, representatives of the Captain of the Port will be verifying that vessel and facility plan holders are conducting and recording required exercises.

1810 PREP Schedule For CGD11/EPA Region IX:

<u>AREA</u>	<u>DATE</u>	<u>PARTICIPANT</u>
<u>GOVERNMENT LED EXERCISES</u>		
North Coast Area (MSO SFB OSC)	1st Qtr 2001	
<u>INDUSTRY LED EXERCISES</u>		
Central Coast Area (MSO SFB OSC)	4th Qtr 1999	Vessel
EPA Region IX Oceania (EPA OSC)	2000	Marine Transportation Related Fac
EPA Region IX Area (EPA OSC)	2000	Pipeline
San Diego Area (MSO San Diego OSC)	2001	Marine Transportation Related Fac
San Francisco Bay & Delta Area (MSO San Francisco OSC)	2001	Marine Transportation Related Fac
Los Angeles/Long Beach Northern Sector Area	2001	Vessel

1820 Exercises and Drills – Calif. Dept of Fish and Game, Office of Oil Spill Prevention and Response (OSPR)

Under Sections 817, 818, and 820 of the California Oil Spill Contingency Plan Regulations, oil spill contingency plan holders of vessels and facilities, and oil spill response organizations (OSRO) operating within State of California marine waters are required to conduct exercises as necessary to ensure that the elements of the plans will function in an emergency. Facility plan holders are required to conduct: Notification Drills (Quarterly), facility-owned Equipment Deployment Drills (Semiannually), and Spill Management Team Tabletop (Annually). Vessel plan holders are required to conduct: Manned-Vessel and Unmanned-Barge Onboard Emergency Procedures and Qualified Individual Notification Drills (Quarterly), Shore-Based Spill Management Team Tabletop Exercises (Annually). All plan holders shall also ensure that all of the response resources identified in the plan, including OSRO's, participate in annual Equipment Deployment Exercises.

The OSPR program drills and exercises requirements are consistent with the PREP exercises above. OSPR utilizes the same scope and objectives of exercises that are detailed in the PREP guidelines, and all PREP objectives are required to be tested over a three-year period. However, PREP program requirements are optional for plan holders; the OSPR program is a regulatory requirement.

Procedures for Exercise Evaluation Documentation

All contingency plan holders conducting an exercise are required to invite the Administrator of the Office of Oil Spill Prevention and Response (OSPR) to attend the event. All OSPR staff attending an exercise are required to evaluate the exercise and complete a written evaluation. The OSPR is required to issue credit for drills and exercises that meet state regulatory requirements. Each objective tested should demonstrate that the plan component functions adequately enough for an efficient and effective response to an oil spill. Exercise objectives and criteria for measuring their attainment will be established as part of the development phase of the exercise. If criteria are not met, then the objective tested has not been met.

No exercise passes or fails. Credit may be withheld if the objectives tested are not met until such time as any deficiencies are corrected. If a deficiency is noted either in meeting specific objectives or in the contingency plan itself, the owner/operator must either correct the deficiency prior to the next exercise, or address it in writing within 60 days from receiving OSPR's evaluation report.

Exercise Scheduling and Attendance

The procedures for obtaining attendance by the OSPR personnel at drills and exercises is as follows:

- a. The plan holder submits written notification to the Sacramento OSPR Headquarters, inviting the Administrator to participate in both equipment deployment exercises and management team tabletop exercises, within the following time lines:

EXERCISE TYPE	NOTIFICATION
Tabletop, In-State	30 days
Tabletop, Out-of-State	90 days
Equipment Deployment	30 days
Full Scale Combination (Tabletop & Equipment Deployment)	60 days
Areas Exercises	120 days
Internal Unannounced	30 days

- b. The Planning Branch will answer the exercise notification letter with a letter of acknowledgment to the contingency plan holder.
- c. Exercise notification information will be entered into the Drill and Exercise Calendar in the OSPR LAN library by Planning staff. The Calendar will include all pertinent information, such as plan number, type of exercise, date, time, location, point of contact, objectives to be tested, the priority of the drill, the minimum OSPR staff required to attend the exercise, and the roles they will play.
- d. The Unit Managers and Supervisors, the Field Office Supervisors (FOS), and the Lead Oil Spill Prevention Specialists (OSPS) will be responsible for reviewing the Drill and Exercise Calendar on a weekly basis and assigning available staff to all exercises. At least one OSPR representative will be responsible for monitoring and evaluating each exercise listed as a Priority 1 in the Calendar.
- e. Prior to attending an exercise, assigned personnel will review previous exercise evaluation reports on file in the appropriate field office. If necessary, assigned personnel will consult with the Lead person(s) responsible for evaluating any previous exercises. Personnel will note any previous exercise deficiencies and required corrections. If the owner/operator has not addressed these deficiencies before or during the exercise, the evaluator will determine that the appropriate objectives have not been met.

Evaluation Paperwork Process

In order to maintain quality and standardization throughout the state, and to simplify reporting procedures by all evaluating personnel, all staff will use standardized evaluation report forms for semiannual equipment deployments, spill management team tabletop exercises, tabletop exercises, and issues that need to be referred to the local USCG Area Planning Committee. All these forms used together will constitute a complete OSPR evaluation report. If evaluators need to report a significant problem or a significant achievement with the drill or a developing pattern that could be of concern, they will include it in the “comments” section of the evaluation report. If evaluators believe credit for the exercise should be withheld, they shall include detailed reasons in the evaluation report and include recommendations to correct any problems.

The plan holder shall provide the following documentation in order to receive credit from OSPR for any exercise conducted:

1. the contingency plan number;
2. a list of all other participants and their roles, including contingency plan numbers if applicable;
3. the objectives tested;
4. the Area Contingency Plan-listed environmentally sensitive site protection response strategies tested;
5. copies of documents created for the drill or exercise (such as the site safety plan and the incident action plan, if prepared);
6. a list of other regulatory agencies attending the drill or exercise, if any;
7. an exercise evaluation or post-spill critique;
8. information to demonstrate whether the identified objectives have been met; and
9. any information of concern to the local Area Planning Committee;

With prior approval, OSPR may accept certain other exercises in substitution: 1) exercises conducted by another local, state or federal agency; 2) out-of-state or -country exercises; 3) unannounced exercises; and 4) actual spill responses.

Upon receipt of a drill credit request from a plan holder, the OSPR will review all staff reports and plan holder exercise documentation to determine if all requirements have been met. If the documentation submitted is inadequate to make a determination of approval, OSPR will send a letter withholding credit until additional information is submitted. If all the requirements have been met, OSPR will then send a letter of credit approval to the plan holder. If the requirements have not been met, any inadequacies noted in the Administrator’s report must be addressed in writing by the plan holder with 60 days of the receipt of the Administrator’s report. The plan holder’s response shall outline remedies to the noted inadequacies including, but not limited to, any necessary changes to the plan, any changes in contracted or owned response resources, changes in or additions to training, and/or the need for additional drills or exercises. The plan holder’s response shall include a schedule for implementing the remedies.